



## CITY COUNCIL AGENDA - ADDENDUM

Tuesday, March 18, 2014

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1. Additional Item - *This item should be considered as part of the Consent Agenda as Item 5a*
    - a. Cons. Resolution 14-50 Approving an Amendment to the Joint Powers Agreement for the Lower Rum River Watershed Management Organization (LRRWMO) Removing the City of Coon Rapids as a Member
  3. Adjourn



## **City Council Addendum**

**1. a.**

**Meeting Date:** 03/18/2014

**Subject:** Cons. Resolution Approving Amendment to the Joint Powers Agreement with the Lower Rum River Watershed Management Organization on a Boundary Change

**From:** Tim Himmer, Public Works Director

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### **INTRODUCTION**

The City Council is requested to adopt the attached resolution approving the amendment to the Joint Powers Agreement (JPA) for the Lower Rum River Watershed Management Organization (LRRWMO) removing the City of Coon Rapids as a member.

### **DISCUSSION**

On December 17, 2014, the Council approved an amendment to the Joint Powers Agreement to perform a watershed boundary change such that the entire City would be contained within the Coon Creek Watershed District (CCWD) and removing Coon Rapids as a member of the LRRWMO. The JPA required a corresponding resolution, which is attached for Council consideration. Once adopted, a certified resolution will be sent to the Watershed District to complete the boundary shift request.

### **RECOMMENDATION**

Staff recommends that the Council adopt Resolution 14-50 approving an amendment to the Joint Powers Agreement for the Lower Rum River Watershed Management Organization (LRRWMO) removing the City of Coon Rapids as a member.

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### **Attachments**

Resolution 14-50

Boundary Change Area

JPA Amendment

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**RESOLUTION NO. 14-50**

**A RESOLUTION APPROVING AN AMENDMENT TO THE  
JOINT POWERS AGREEMENT WITH THE  
LOWER RUM RIVER WATERSHED MANAGEMENT ORGANIZATION**

**WHEREAS**, the City of Coon Rapids has a very small geographical area located within the boundaries of the Lower Rum River Watershed Management Organization (LRRWMO) boundaries; and

**WHEREAS**, the City of Coon Rapids has requested to be removed from the LRRWMO; and

**WHEREAS**, to remove the City of Coon Rapids from the LRRWMO requires all member cities of the LRRWMO to approve an amendment to the LRRWMO Joint Powers Agreement; and

**WHEREAS**, the City Council approved the LRRWMO Joint Powers Agreement on December 17, 2013; and

**WHEREAS**, a corresponding resolution for this approval is necessary in order to execute the Joint Powers Agreement.

**NOW THEREFORE BE IT RESOLVED** by the City Council of Coon Rapids, Minnesota that an amendment to the Lower Rum River Watershed Management Organization Joint Powers Agreement to remove the City of Coon Rapids from the Lower Rum River Watershed Management Organization is hereby approved.

Adopted by the Coon Rapids City Council this 18<sup>th</sup> day of March, 2014.

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Tim Howe, Mayor

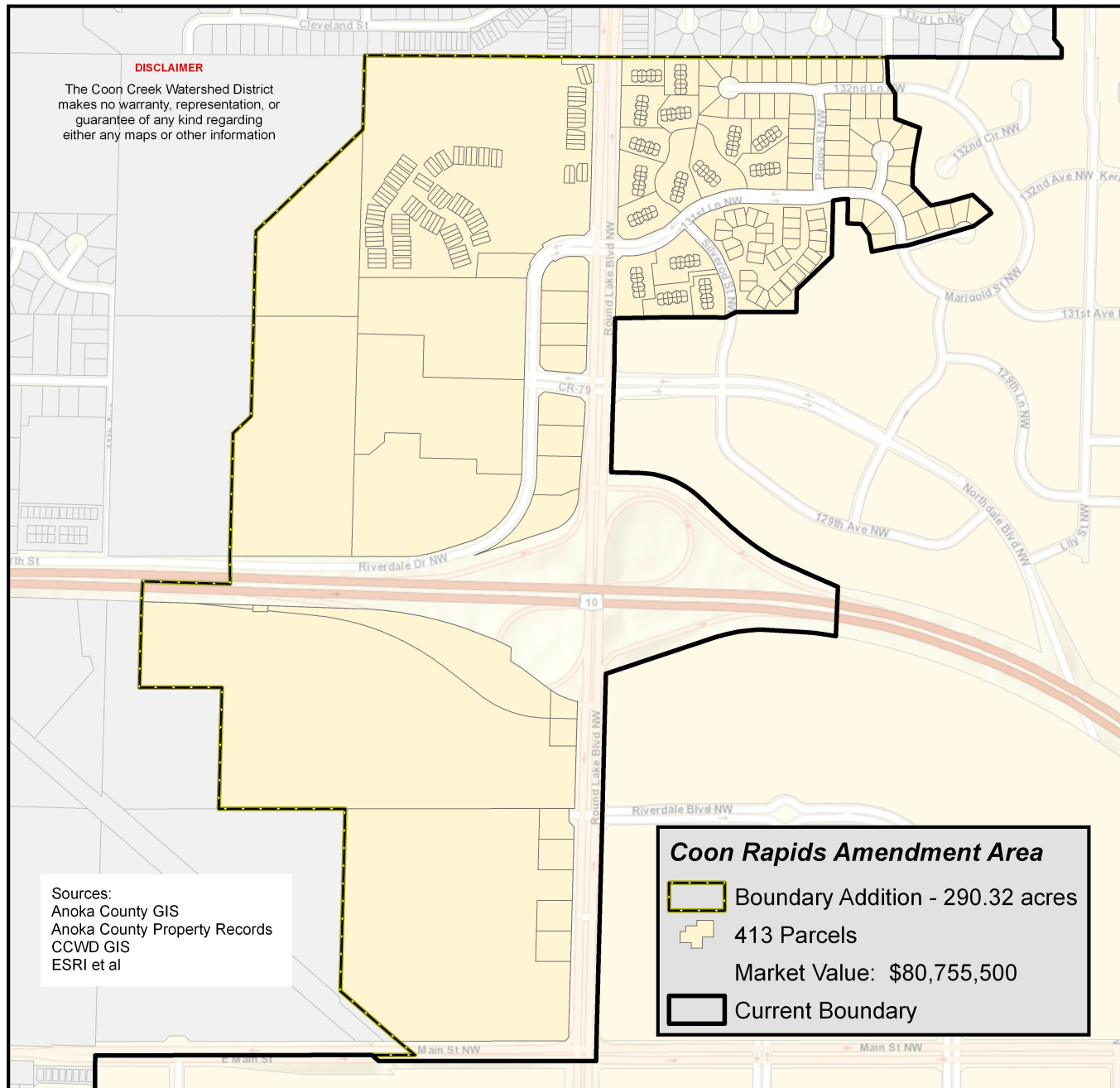
ATTEST:

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Catherine M. Sorensen, City Clerk

**DISCLAIMER**

The Coon Creek Watershed District makes no warranty, representation, or guarantee of any kind regarding either any maps or other information



**Coon Rapids Amendment Area**

-  Boundary Addition - 290.32 acres
-  413 Parcels
- Market Value: \$80,755,500
-  Current Boundary

Sources:  
Anoka County GIS  
Anoka County Property Records  
CCWD GIS  
ESRI et al

AMENDMENT TO JOINT AND COOPERATIVE AGREEMENT FOR THE  
ESTABLISHMENT OF THE LOWER RUM RIVER WATERSHED MANAGEMENT  
ORGANIZATION TO PLAN, CONTROL AND PROVIDE FOR THE DEVELOPMENT OF  
THE LOWER RUM RIVER WATERSHED

THIS AMENDMENT is made and entered into as of the date of execution by all of the cities of Andover, Anoka, Coon Rapids and Ramsey, Minnesota (hereinafter collectively referred to as the "Parties").

WITNESSETH:

WHEREAS, the Parties have entered into a Joint Powers Agreement, effective September 5, 1995, entitled the JOINT AND COOPERATIVE AGREEMENT FOR THE ESTABLISHMENT OF THE LOWER RUM RIVER WATERSHED MANAGEMENT ORGANIZATION TO PLAN, CONTROL AND PROVIDE FOR THE DEVELOPMENT OF THE LOWER RUM RIVER WATERSHED (the "Joint Powers Agreement"); and

WHEREAS, the Joint Powers Agreement established the Lower Rum River Watershed Management Commission (the "Commission"), a watershed management organization pursuant to and in accordance with the Metropolitan Surface Water Management Act, Minn. Stat.. Secs. 103B.201 to 103B.255, and Minn. Stat., Sec. 471.59; and

WHEREAS, the City of Coon Rapids has petitioned the Minnesota Board of Water and Soil Resources ("BWSR") to approve removing that part of the Lower Rum River Watershed Management Organization's area lying within the City of Coon Rapids from the Lower Rum River Watershed Management Organization and attaching it to the Coon Creek Watershed District; and

WHEREAS, BWSR has approved the change in boundaries of the Lower Rum River Watershed Management Organization and the Coon Creek Watershed District; and

WHEREAS, the City of Coon Rapids has requested that the Joint Powers Agreement be amended to remove Coon Rapids as a party; and

WHEREAS, the parties agree that such amendment is fair, reasonable, and in the best interests of the public.

NOW, THEREFORE, on the basis of the premises and mutual covenants and agreements hereinafter set forth, the Parties agree as follows:

1. The Joint Powers Agreement is amended as follows:
  - a) The words "Coon Rapids" are deleted from the first paragraph of the preface of the Joint Powers Agreement;

- b) The words “three cities” is substituted for the words “four cities” in the first sentence of the third paragraph of the preface;
- c) The words “three cities” is substituted for the words “four cities” in the seventh paragraph of the preface; and
- d) The words “City of Coon Rapids” are deleted from the first paragraph of Article IV.

2. Coon Rapids will continue to be responsible for all charges and assessments made for fiscal year 2013 notwithstanding its withdrawal from the LRRWMO.

3. Except as modified herein, the Joint Powers Agreement shall remain in full force and effect.

4. This Agreement shall be effective upon ratification by the City Councils of all of the Parties and the execution of this Agreement by all Parties. Upon receipt of certified copies of resolutions approving the Amendment to this Agreement and executed copies of the Amendment by all of the Parties, the Secretary of the Commission shall supply to the City Clerk of each of the Parties a copy of the resolutions and of the signed agreement.

5. This Amendment may be executed in several counterparts, each of which, when assembled to include an original signature for each of the Parties, will constitute a complete and fully executed original.

IN WITNESS WHEREOF, the undersigned, as duly authorized by action of their City Council, have caused this Agreement to be executed in accordance with the Authority of Minn. Stat., Sections 103B.201 to 103B.255 and 471.59.

CITY OF ANDOVER

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Its Mayor

And by: \_\_\_\_\_  
Its City Clerk

Dated: \_\_\_\_\_

CITY OF ANOKA

By: \_\_\_\_\_  
Its Mayor

And by: \_\_\_\_\_  
Its City Manager

Dated: \_\_\_\_\_

CITY OF COON RAPIDS

By: \_\_\_\_\_  
Its Mayor

And by: \_\_\_\_\_  
Its City Manager

Dated: \_\_\_\_\_

CITY OF RAMSEY

By: \_\_\_\_\_  
Its Mayor

And by: \_\_\_\_\_  
Its City Clerk